

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JAMES J. SANDLER, Individually and as Trustee
of the TOWN PAINT & SUPPLY CO., INC.
401(k) PROFIT SHARING PLAN, and
TOWN PAINT & SUPPLY CO., INC.,

Plaintiffs

v.

CIPC SYSTEMS, INC. and
RICHARD A. PERRY,

Defendants

CIVIL ACTION No. 05-40073-FDS

PROPOSED SCHEDULING ORDER

Timetable for Discovery and Motion Practice

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure and Local Rule 16.1(F), the parties submit the following proposed scheduling orders:

<u>Plaintiff's Proposed Dates</u>	<u>Defendants' Proposed Dates</u>
1. Initial Disclosures. Initial disclosures required by Fed. R. Civ. P. 26(a)(1) must be completed by <u>N/A already completed</u> .	
2. Amendments to Pleadings. Except for good cause shown, no motions seeking leave to add new parties or to amend the pleadings to assert new claims or defenses may be filed after <u>October 1, 2006</u> .	2. Amendments to Pleadings. Except for good cause shown, no motions seeking leave to add new parties or to amend the pleadings to assert new claims or defenses may be filed after <u>December 6, 2006</u> .
3. Fact Discovery – Interim Deadlines.	
a. All requests for production of documents and interrogatories must be served by <u>November 1, 2006</u> .	a. All requests for production of documents and interrogatories must be served by <u>January 5, 2007</u> .
b. All requests for admission must be served by <u>February 1, 2007</u> .	b. All requests for admission must be served by <u>March 2, 2007</u> .
4. All depositions, other than expert depositions, must be completed by	4. All depositions, other than expert depositions, must be completed by

<u>February 1, 2007.</u>	<u>April 2, 2007.</u>
5. Fact Discovery – Final Deadline. All discovery, other than expert discovery, must be completed by <u>February 1, 2007.</u>	5. Fact Discovery – Final Deadline. All discovery, other than expert discovery, must be completed by <u>May 2, 2007.</u>
6. Status Conference. A status conference will be held on <u>March 2007).</u>	6. Status Conference. A status conference will be held on <u>June 15, 2007.</u>
7. Expert Discovery.	
a. Plaintiff(s)' trial expert must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2) must be disclosed, by <u>March 1, 2007.</u>	a. Plaintiff(s)' trial expert must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2) must be disclosed, by <u>May 30, 2007.</u>
b. Plaintiff(s)' trial experts must be deposed by <u>March 15, 2007.</u>	b. Plaintiff(s)' trial experts must be deposed by <u>June 15, 2007.</u>
c. Defendant(s)' trial expert must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2) must be disclosed, by <u>April 1, 2007.</u>	c. Defendant(s)' trial expert must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2) must be disclosed, by <u>July 15, 2007.</u>
d. Defendant(s)' trial experts must be deposed by <u>April 15, 2007.</u>	d. Defendant(s)' trial experts must be deposed by <u>July 30, 2007.</u>
8. Dispositive Motions.	
1. Dispositive motions, such motions for summary judgment or partial judgment and motions for judgment on the pleadings, must be filed by <u>May 30, 2007.</u>	1. Dispositive motions, such motions for summary judgment or partial judgment and motions for judgment on the pleadings, must be filed by <u>October 15, 2007.</u>
2. Oppositions to dispositive motions must be filed within 23 days after service of the motion.	
9. Pretrial Conference. A pretrial conference will be held on <u>June, 2007</u> at <u>2:00 p.m.</u>	9. Pretrial Conference. A pretrial conference will be held on <u>December 15, 2007</u> at <u>2:00 p.m.</u>

JAMES J. SANDLER, Individually and as
Trustee of the TOWN PAINT & SUPPLY CO.,
INC. 401(k)/PROFIT SHARING PLAN, AND
TOWN PAINT & SUPPLY CO., INC.,

CIPC SYSTEMS, INC. and
RICHARD A. PERRY,

By their attorneys,

By their attorneys,

/s/ Richard J. Yurko

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Dated: September 5, 2006

CERTIFICATE OF SERVICE

I, Michele Carlucci, certify that on September 5, 2006, I filed the *Proposed Scheduling Order* by electronic filing and mailed a courtesy copy of the same to:

Richard J. Yurko, Esq.
Matthew C. Welnicki, Esq.
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/s/ Michele Carlucci

Michele Carlucci